



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,676	10/31/2003	Martin T. Gerber	P0011666.00	1023
27581	7590	09/03/2008	EXAMINER	
MEDTRONIC, INC.			KASZTEJNA, MATTHEW JOHN	
710 MEDTRONIC PARKWAY NE			ART UNIT	PAPER NUMBER
MINNEAPOLIS, MN 55432-9924			3739	
			MAIL DATE	DELIVERY MODE
			09/03/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/698,676	GERBER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	MATTHEW J. KASZTEJNA	3739	

All participants (applicant, applicant's representative, PTO personnel):

(1) MATTHEW J. KASZTEJNA. (3) \_\_\_\_\_.

(2) Scott Marks. (4) \_\_\_\_\_.

Date of Interview: 29 August 2008.

Type: a) Telephonic b) Video Conference  
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 27 and 36.

Identification of prior art discussed: US 7,037,294 to Luther et al.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Proposed amendments to independent claims 27 and 36 were discussed regarding the limitation of the handle being rotatably coupled to the shaft, which permits rotation of the shaft relative to the handle while the shaft is inserted into the rectum. Such amendments defining the structural distinctions of the instant invention appear to over come the prior art of record. Upon formal submission further search and consideration may be required.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Matthew J Kasztejna/ Examiner, Art Unit 3739	8/29/8
--------------------------------------------------	--------